

OLSHAN

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November 9, 2023

BY ECF

The Honorable Michael E. Farbiarz
United States District Judge
District of New Jersey

The Honorable Magistrate Judge Leda Dunn Wettre
United States Magistrate
District of New Jersey

Re: *United States of America, ex rel. Laurie Simpson v. Bayer Corp., et al.*, 05-cv-3895 (MEF)(LDW) – U.S.D.C., D.N.J

Dear Honorable Judge Farbiarz and Magistrate Judge Wettre:

We write to join in the request made today by Stone & Magnanini (ECF No. 449) to ask that the administratively-terminated Motion for attorneys' fees filed by Olshan Frome Wolosky LLP on January 6, 2023 at ECF No. 414 (related ECF Nos. 415) be reinstated to the Court's docket and expeditiously resolved.

By way of background, the Court dismissed the underlying False Claims Act case on December 14, 2022 (ECF No. 407), and, retained jurisdiction to adjudicate reasonable attorneys' fee applications under 31 U.S.C. §§ 3730(d)(2) and (h)(2). Counsel participated in in-person mediation with the Honorable Dennis M. Cavanaugh on February 24, 2023, subsequent remote mediation and direct negotiation. Defendant filed its opposition to Olshan's Fee Application on May 30, 2023 (ECF No. 430); and Olshan its reply on June 20, 2023 (ECF No. 436). The fee applications were administratively terminated on August 22, 2023 (ECF No. 447) pending the most-recent mediation and efforts of Stephen M. Greenberg, Esq. to facilitate a negotiated resolution.

We likewise would consent to final decision on the petition by a Magistrate Judge, appreciate the Court's attention to this matter and are available to assist in any way necessary to facilitate the Court's review and decision. Thank you.

Respectfully submitted,



Kyle C. Bisceglie

cc: David S. Stone, Esq.
Robert A. Magnanini, Esq.
Jonathan F. Cohn, Esq.
Larry S. Lustberg, Esq.